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PATENT  
Attorney Docket No.: 016303-002430US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On 30 March 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Malinda Rajit

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Jeffery J. Wheeler et al.

Application No.: 09/431,594

Filed: November 1, 1999

For: LIPID-NUCLEIC ACID  
PARTICLES PREPARED VIA A  
HYDROPHOBIC LIPID-NUCLEIC  
ACID COMPLEX INTERMEDIATE  
AND USE FOR GENE TRANSFER

Customer No.: 20350

Confirmation No. 8936

Examiner: Jane J. Zara

Technology Center/Art Unit: 1635

AMENDMENT

**Box RCE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Final Office Action mailed September 30, 2004, Applicants respectfully submit this Request for Reconsideration and Amendment under 37 C.F.R. § 1.114. In addition, Applicants submit concurrently herewith in separate papers (1) a petition for a three-month extension of time to extend the time for response to on or before March 30, 2005; and (2) a Declaration of Ian MacLachlan, Ph.D. pursuant to 37 C.F.R. §1.132. Applicants respectfully request reconsideration and further examination of the above-referenced patent application in view of the remarks presented herein.

Appl. No. 09/431,594

PATENT

Amdt. dated March 30, 2005

Reply to Office Action of September 30, 2005

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.